

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS W. DOYLE AND PATRICIA
DOYLE, et al.,

v.

MELLON BANK, N.A.,
et al.,

Civil Action No. 02-CV-2939

**DEFENDANTS' MOTION TO STRIKE
PLAINTIFFS' NOTICE OF REMOVAL**

Defendants Mellon Bank, N.A., Davis and Reilly P.C., Reed J. Davis, and Davis Davis Attorneys, P.C. (collectively "Defendants"), by and through their counsel Reed Smith LLP, hereby move this Court to strike the Plaintiffs' Notice of Removal.

The grounds for this Motion are set forth in the accompanying Memorandum of Law, which is incorporated as if set forth in full herein. A proposed order is attached.

Respectfully submitted,

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Counsel for Defendants Mellon Bank, N.A.,
Davis & Reilly, P.C., Reed J. Davis, and Davis
Davis Attorneys, P.C.

Dated: July __, 2003

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2003, I served a true and correct copy of Defendants' Motion To Strike Plaintiffs' Notice of Removal by first class United States Mail, postage prepaid, addressed to the following:

Stuart A. Eisenberg, Esquire
McCullough & Eisenberg P.C.
530 West Street Road
Suite 201
Warminster, PA 18974

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS W. DOYLE AND PATRICIA
DOYLE, HUSBAND AND WIFE,
INDIVIDUALLY AND ON BEHALF OF
OTHERS SIMILARLY SITUATED

v.

MELLON BANK, N.A.,
DAVIS & REILLY, P.C.,
REED J. DAVIS, DAVIS DAVIS
ATTORNEYS, P.C. and JOHN DOES 1
THROUGH 50

Civil Action No. 02-CV-2939

AND NOW, this ____ day of _____, 2003, upon consideration of the Motion of the Defendants to Strike the Plaintiffs' Notice of Removal from United States District Court to United States Bankruptcy Court Pursuant to B.R.C.P. 9027 and the submissions of the parties, it is hereby ORDERED, ADJUDGED and DECREED that the Defendant's Motion is GRANTED and the Plaintiff's Notice of Removal is STRICKEN FROM THE RECORD.

BY THE COURT:

United States District Judge